

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
EVANSVILLE DIVISION

EVANSVILLE GREENWAY AND  
REMEDATION TRUST, a Qualified  
Settlement Fund,

Plaintiff,

vs.

3:07-cv-66-SEB-WGH

SOUTHERN INDIANA GAS AND  
ELECTRIC COMPANY, INC., et al.,

Defendants,

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EVANSVILLE GREENWAY PRP  
GROUP,

Third-Party Plaintiff,

vs.

GENERAL WASTE PRODUCTS, et al.,

Third-Party Defendants.

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**ORDER GRANTING JOINT MOTION TO DISMISS THIRD-PARTY  
DEFENDANT CITY OF EVANSVILLE**

On January 13, 2010, Third-Party Plaintiff, the Evansville Greenway PRP Group (“PRP Group”), Defendants Southern Indiana Gas & Electric Company, Inc. (“SIGECO”), Mead Johnson & Company (“Mead Johnson”), and Heritage Coal Company LLC (“Heritage”), and Third-Party Defendant, the City of Evansville (“the

City”), (collectively, “the Parties”), filed their Joint Motion to Dismiss Third-Party Defendant City of Evansville with Prejudice [Docket No. 659]. The Court, being duly advised, finds that the Motion should be GRANTED. The City’s Motion for Summary Judgment [Docket No. 525], filed on September 16, 2009, is therefore DENIED AS MOOT.

IT IS HEREBY ORDERED that the City of Evansville is dismissed from this action with prejudice, and that the City’s counterclaims against the PRP Group, SIGECO, Mead Johnson, and Heritage are also dismissed with prejudice.

Date: 04/28/2010



SARAH EVANS BARKER, JUDGE  
United States District Court  
Southern District of Indiana

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